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6 Attorneys for Plaintiff
 7 United States of America

8 UNITED STATES DISTRICT COURT

9 SOUTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,)	Case No.	'12CV0290 LAB BLM
)		
11 Plaintiff,)	COMPLAINT FOR	
)	FORFEITURE	
12 v.)		
)		
13 \$18,467.00 IN U.S. CURRENCY,)		
)		
14 Defendant.)		
_____)		

15
 16 By way of complaint against the defendant, \$18,467.00 in U.S. Currency, (hereinafter "defendant
 17 currency") the United States of America alleges:

18 1. This Court has jurisdiction over this action by virtue of the provisions of Title 28,
 19 United States Code, Section 1355, and Title 21, United States Code, Section 881.

20 2. Venue is proper in this district pursuant to Title 28, United States Code, Section 1395,
 21 because the defendant property was found within this district.

22 3. On September 29, 2011, the members of the San Diego Police Department Narcotic Unit
 23 and SWAT Unit assisted the Federal Bureau of Investigation with the service of a federal search warrant
 24 at a residence on Pennsylvania Avenue in San Diego, California.

25 4. When the SWAT officers attempted to gain entry to the residence, John Dixon ignored
 26 the commands of the officers and threw shards of glass at them. Other officers were able to enter the
 27 residence and take control of Dixon. S. Duplessis was also inside the residence and was detained by
 28 SWAT officers when they made entry into the residence. Duplessis directed the officers to a purse in

1 the bedroom which contained her identification. Inside the purse were four small plastic baggies
2 containing approximately 1.2 grams of methamphetamine and \$920.00 in U.S. Currency.

3 5. During the search of the residence, a black metal safe was found on a closet shelf in
4 Dixon's bedroom. The keys to the safe were found in the bedroom. The safe was unlocked and the
5 following items were found inside: approximately 12.0 grams of methamphetamine; a digital gram scale;
6 approximately 100 new small zip-loc baggies; \$18,467.00 in U.S. Currency; two checks made out to
7 Dixon; and two registration slips for motorcycles belonging to Dixon.

8 6. Also found in Dixon's bedroom were the following items: two additional bags containing
9 a small quantity of methamphetamine; a plastic bag with residue; a mirror with white residue and a
10 razor; two plastic straws with residue; one glass vial with residue; three pipes with residue; and a black
11 plastic pellet gun.

12 7. Dixon is unemployed.

13 8. Based on training and experience, narcotics detectives believed that the defendant
14 currency represented the proceeds of selling methamphetamine or was intended to be used to obtain
15 methamphetamine and that the methamphetamine found in the residence was being distributed and sold
16 for profit. This opinion is based upon the quantity of methamphetamine, the scale, the packaging, and
17 the currency and the amount and that the denominations of the currency were consistent with the sales
18 of controlled substances at his level.

19 9. Dixon was charged with violating California Health and Safety Code Section 11378,
20 Possession of Methamphetamine for Sales, in the Superior Court of the State of California, County of
21 San Diego.

22 10. On and/or prior to September 29, 2011, the defendant currency represented the proceeds
23 of or proceeds traceable to an exchange for a controlled substance or listed chemical in violation of
24 Title 21 of the United States Code, Section 881.

25 11. On and/or prior to September 29, 2011, the defendant currency was furnished or intended
26 to be furnished in exchange for a controlled substance or listed chemical in violation of Title 21 of the
27 United States Code, Section 881.

28 //

1 12. Because of the aforementioned acts or uses alleged herein, either singly or in
2 combination, the defendant currency is subject to forfeiture pursuant to Title 21, United States Code,
3 Section 881(a)(6).

4 13. The defendant currency is presently stored within the jurisdiction of this Court.

5 WHEREFORE, the United States prays that due process issue to enforce the forfeiture of the
6 defendant U.S. Currency, and that due notice be given to all interested parties to appear and show cause
7 why said forfeiture should not be declared.

8
9 DATED: February 3, 2012

10 LAURA E. DUFFY
11 United States Attorney

12 s/Michael P. Running, Jr.

13 MICHAEL P. RUNNING, JR.
14 Special Assistant U.S. Attorney

VERIFICATION

I, Felipe Arroyo, hereby state and declare as follows:

1. I am a Task Force Officer with the Drug Enforcement Administration.
2. I have read the foregoing complaint and know its contents.
3. The information in the complaint was furnished by official Government sources.

Based on this information, I believe the allegations in the complaint to be true.

I declare under penalty of perjury that the foregoing is true and correct, to the best of my knowledge and belief.

Executed on FEB 3RD, 2012.


FELIPE ARROYO

Task Force Officer, Drug Enforcement Administration

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

United States of America

(b) County of Residence of First Listed Plaintiff _____
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

SAUSA Michael P. Running, Jr., Phone: (619) 557-5979
USAO 880 Front Street, Room 6293, San Diego, CA 92101-8893

DEFENDANTS

\$18,467.00 in U.S. Currency

County of Residence of First Listed Defendant _____
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE
LAND INVOLVED.

Attorneys (If Known)

'12CV0290 LAB BLM**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- ☒ 1 U.S. Government Plaintiff
☐ 2 U.S. Government Defendant
☐ 3 Federal Question (U.S. Government Not a Party)
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | | | |
|-----------------------------------------|----------------------------|----------------------------|----------------------------------------------------------------------|----------------------------|----------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated <i>or</i> Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated <i>and</i> Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition		

V. ORIGIN

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
☐ 2 Removed from State Court
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened
☐ 5 Transferred from another district (specify)
☐ 6 Multidistrict Litigation
☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

21 U.S.C. Section 881

Brief description of cause:
narcotics trafficking**VII. REQUESTED IN COMPLAINT:**
☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☒ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

02/03/2012

s/Michael P. Running, Jr.

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____